

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1191 of 1998

and

CRIMINAL MISC.APPLICATION No 1194 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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Party in Cri.Misc. Appl.No. 1191 of 1998

HAJI GULABBHAI MOHMEDBHAI KHANKHAR

Versus

STATE OF GUJARAT

Party in Cri. Misc. Appln. No. 1194 of 1998

Jabbarbhai Kamruddin Khan (Pathan)

Versus

State of Gujarat

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Appearance:

MR YATIN SONI for Petitioner

Mr. Gohil, APP for Respondent No. 1

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CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 22/04/98

ORAL COMMON JUDGEMENT

Heard learned Advocate Mr. Yatin Soni appearing for the Applicants in both the matters. Rule. Learned APP Mr. Gohil waives service of Rule on behalf of the respondent State. As above stated both the Criminal Applications are filed for claiming Anticipatory Bail in respect to Crime Register No. I 45 of 1998 registered at Vanthli Police Station, District Junagadh, both the petitions are heard together and common order is passed.

The parties have not pressed for reasoned orders. Having regard to the facts and circumstances apparent from the record in the context of submission urged at the Bar, it is ordered that in the event of arrest of respective Applicant on above stated petitions, such petitioner be released on bail on executing a personal bond of Rs. 20,000/- (Rupees twenty thousand only) and furnishing one or more sureties for the like amount to the satisfaction of the police authority and subject to the following conditions:

1. The respective Applicant shall remain present before the trial court regularly as and when directed on dates fixed;
2. The respective Applicant shall report at the Vanthli Police Station on the 1st and 15th day of each month during the currency of this order, between 11:00 AM and 2:00 Noon/PM.
3. The respective Applicant shall make himself available for interrogation by a police officer whenever and wherever required.
4. The respective Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer.
5. The respective Applicant shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police.
6. The respective Applicant shall at the time of

execution of bond furnish the address to the Investigating Officer and the Courts at Junagadh, and shall not change his residence till the final disposal of the case or till further orders.

7. The respective Applicant shall not leave the place of his residence for a period beyond five days without the permission of the Court. Further, he shall not leave India without the permission of the Court.
8. It would be open to the investigation officer to file an application for remand if he considers it proper and the learned Magistrate would decide it on merits.
9. The respective Applicant is directed to deposit the travel documents and Passports with the police authorities till further order

All of which conditions shall be treated as conditions on which bail is granted. This order will hold good if the respective Applicant is arrested at any time within 90 days from today. The order for release on bail will remain operative only for a period of ten days from the date of his arrest. Thereafter it will be open to the respective Applicant to make a fresh application for being enlarged on bail which when it comes before the Competent Court will be disposed of in accordance with law, having regard to all the attendant circumstances and the materials available at the relevant time uninfluenced by the fact that Anticipatory Bail is granted by this Court to the respective Applicant.

Rule is made absolute accordingly in each petition. No order as to costs. D.S. is permitted.

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